

Sec. 180. Penalty. Any person who violates any provision of this chapter shall be fined not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), or imprisoned in the county jail for a period of not exceeding thirty (30) days for each offense.

Sec. 181. Enforcement. The department of agriculture shall enforce the provisions of this chapter and for that purpose shall make necessary investigations relative thereto. Every licensee and member of the examining board shall furnish said department such evidence as he may have relative to any alleged violation which is being investigated.

Sec. 182. Duty of county attorney. The county attorney of the county in which any violation of this chapter occurs shall conduct the necessary prosecution for such violation.

Approved March 5, 1924.

CHAPTER 47

HOTELS, RESTAURANTS, AND FOOD ESTABLISHMENTS

H. F. 69

AN ACT to amend, revise, and codify chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled code of Iowa, and chapter thirteen-a (13-a), of title five (5) of the supplement to the compiled code of Iowa, relating to hotels, restaurants, food establishments, and cold storage plants.

Be It Enacted by the General Assembly of the State of Iowa:

That chapter thirteen (13) of title five (5), and chapters five (5) and six (6) of title seven (7) of the compiled Code of Iowa, and chapter thirteen-a (13-a), of title five (5) of the supplement to the compiled Code of Iowa, are amended, revised, and codified to read as follows:

CHAPTER 9

HOTELS, RESTAURANTS, AND FOOD ESTABLISHMENTS

Section 1. Definitions. For the purpose of this chapter:

1. "Hotel" shall mean any building or structure equipped, used, advertised as, or held out to the public to be an inn, hotel, or public lodging house or place where sleeping accommodations are furnished transient guests for hire, whether with or without meals.
2. "Guest room" shall mean office, parlor, dining room, kitchen, and sleeping apartment of a hotel, whether for transient or permanent guests.
3. "Sleeping apartment" shall mean bedroom or other sleeping quarters in a hotel.
4. "Restaurant" shall mean any building or structure equipped, used, advertised as, or held out to the public to be a restaurant, cafe, cafeteria, dining hall, lunch counter, lunch wagon, or other like place where food is served for pay, except hotels and such places as are used by churches, fraternal societies, and civic organizations which do not regularly engage in the serving of food as a business.
5. "Food" shall include any article used by man for food, drink, confectionary, or condiment, or which enters into the composition of the same, whether simple, blended, mixed, or compound.
6. "Food establishment" shall include any building, room, basement, or other place used as a bakery, confectionery, cannery, packinghouse, slaughterhouse, dairy, creamery, cheese factory, restaurant or hotel kitchen, retail grocery, meat market, or other place in which food is kept, produced, or distributed for commercial purposes.

7. "Slaughterhouse" shall mean a food establishment in which animals or poultry are killed or dressed for food.

LICENSES

Sec. 2. License required - expiration - transferable. No person shall maintain or conduct a hotel, restaurant, bakery, candy factory, ice cream factory, bottling works, canning factory, slaughterhouse, meat market, or place where fresh meats are sold at retail until he shall obtain a license from the department of agriculture. Each license shall expire one (1) year from the date of issuance except a hotel or restaurant license which shall expire on the last day of December following the date of issuance. A hotel license shall be transferable upon the payment of a fee of one dollar (\$1.00) to the department, but no other license shall be transferable.

Sec. 3. Application for license. Every application for a license under this chapter shall be made upon a blank furnished by the department and shall contain the items required by it as to ownership, management, location, buildings, equipment, rates, and other data concerning the business for which a license is desired. An application for a license to operate an existing business shall be made at least thirty (30) days before the expiration of the existing license.

Sec. 4. Operation without license. After application has been made for a license, accompanied by the legal fee, as provided in this chapter, the applicant may operate his business without a license until his application has been denied.

Sec. 5. License fees. The department shall collect the following fees for licenses:

1. For hotel containing fifteen (15) guest rooms or less, four dollars (\$4.00).
2. For a hotel containing more than fifteen (15) or less than thirty-one (31) guest rooms, six dollars (\$6.00).
3. For a hotel containing more than thirty (30) and less than seventy-six (76) guest rooms, eight dollars (\$8.00).
4. For a hotel containing more than seventy-five (75) and less than one hundred fifty (150) guest rooms, ten dollars (\$10.00).
5. For a Hotel containing one hundred fifty (150) or more guest rooms, fifteen dollars (\$15.00).
6. For a restaurant, candy factory, ice cream factory, bottling works, bakery, canning factory, slaughterhouse, meat market, or place where fresh meats are sold at retail, three dollars (\$3.00).

Sec. 6. Revocation of license. Any license issued under this chapter may be revoked by the department for violation by the licensee of any provision of this chapter or any rules of the department.

SANITARY CONSTRUCTION

Sec. 7. Plumbing in buildings connected with sewers. Every hotel, restaurant, or food establishment located in a city or town having a sewage system, shall be constructed and drained according to an approved sanitary system and maintained in a sanitary condition free from any gas or offensive odors arising from any sewer, drain, privy, or other source within the control of the owner or person in charge.

Sec. 8. Plumbing in buildings not connected with sewers. Every hotel, restaurant, or food establishment located in a city or town not having a sewage system shall be constructed and drained in the same manner and the drain shall be connected with an approved cesspool. Such cesspools shall be cleaned and disinfected as often as necessary to maintain them in an approved sanitary condition.

Sec. 9. Certain restaurants exempted. The two preceding sections shall not apply to restaurants temporary in character and location.

Sec. 10. Floors. The floors in every food establishment shall be made of some suitable nonabsorbent and impremeable material, approved by the department, which can be flushed and washed clean with water. All new slaughterhouses shall be constructed with cement, vitrified brick, or tile, or other impervious material floors and killing beds.

Sec. 11. Interior finish. The side walls and ceilings of every bakery, confectionary, creamery, cheese factory, slaughterhouse, and restaurant or hotel kitchen, shall be made of some suitable material approved by the department, and shall be either oil painted so that they can be washed clean, or they shall be kept well lime-washed.

Sec. 12. Screens. The doors, windows, and other openings of every hotel, restaurant, and food establishment during the fly season shall be fitted with self-closing screen doors and wire window screens of not coarser than fourteen (14) mesh wire gauze.

Sec. 13. Certain places exempted. The preceding section shall not apply to sheds used for husking corn, nor to warehouses or storerooms used for the storage, or handling of the finished product when sealed in original packages.

Sec. 14. Toilet rooms. Food establishments shall have convenient toilet rooms and urinals separate from other rooms with floors as prescribed for such establishments, with separate ventilating flues discharging into soil pipes, or on the outside of the building.

Sec. 15. Lavatories. The lavatories in food establishments shall be adjacent to toilet rooms and shall be supplied with soap, running water, and clean towels, and shall be maintained in a sanitary condition.

SANITATION IN CONDUCTING BUSINESS

Sec. 16. Lighting and ventilation. Every food establishment shall be properly lighted, ventilated, and conducted with strict regard to the influence of such conditions upon the food handled therein.

Sec. 17. Sanitary regulations. The following sanitary regulations shall be complied with in every hotel, restaurant, and food establishment:

1. The floors, walls, ceilings, woodwork, utensils, machinery, and other equipment, and all vehicles and equipment used in the transportation of food shall be kept in a thoroughly clean condition.

2. Food shall be at all times adequately protected from flies, dirt, and contamination from any source.

3. Dirt, refuse, and waste products subject to decomposition or fermentation shall be removed daily.

4. The clothing of all persons employed shall be kept clean, and those who handle food shall keep themselves clean and wash their hands and arms before beginning work and after visiting the toilet.

Sec. 18. Additional requirements for slaughterhouses. In addition to the requirements of the preceding section the following regulations shall also be complied with in the operation of slaughterhouses:

1. The building and yard shall be properly drained so as to prevent accumulations of water or mud.

2. The dressing room shall be supplied with pure and wholesome water.

3. In case a slaughterhouse is not in continuous use the refuse and waste products shall be removed within twenty-four (24) hours after each using.

4. No blood pit, dung pit, offal pit, or privy well shall be maintained upon the premises, and refuse and waste products shall be burned or buried.

5. The premises shall be kept free from maggots and foul odors.

6. Swine shall not be kept or fed within fifty (50) feet of the slaughterhouse.

7. Dead animals shall not be used for feeding purposes without first being thoroughly cooked.

8. Carcasses shall be covered with clean, white cloths before being transported, and shall be kept only in sanitary refrigerators or storage rooms.

Sec. 19. Common towel - paper towels. No roller or common towel shall be kept or used in the toilet room or wash room of any hotel, restaurant, or food establishment, but individual sanitary paper towels may be provided for use in said places.

Sec. 20. Common drinking cup. No common drinking cup shall be kept or used in any place or room in any hotel, restaurant, or food establishment.

Sec. 21. Tableware. No soiled or insanitary tableware, tablecloths, napkins, or other table linen, shall be used in any hotel or restaurant.

Sec. 22. Expecterating - cuspidors. No person shall expectorate within any food establishment except in cuspidors which shall be provided when necessary. Said cuspidors shall be emptied and thoroughly washed daily with some disinfectant solution, five (5) ounces of which shall be left in each cuspidor while in use.

Sec. 23. Use as living room. No person shall be allowed to use as a dwelling, or sleep in, any workroom of any bakeshop, kitchen, or dining room where food for commercial purposes, confectionery, creamery, ice cream factory, cheese factory, cream station, meat market, or any other place where, in the opinion of the department, food will be contaminated thereby.

Sec. 24. Employment of diseased persons. No person infected with any communicable disease as defined in chapter four (4) of the title on "Public Health" shall work in any food establishment nor shall any employer permit any such person to work at any such establishment.

Sec. 25. Street display of food. No person shall make any sidewalk or street display of any meat products; but other food products may be so displayed if they are inclosed in a show case or similar device which shall protect the same from flies, dust, or other contamination, and in such display the bottom of the display case shall be at least two (2) feet above the surface of the sidewalk.

Sec. 26. Polishing fruit. No person shall polish fruit or any other food product by any insanitary or unclean process.

SPECIAL SANITATION PROVISIONS IN RE HOTELS

Sec. 27. Bedding. Every bed, bunk, cot, or other sleeping place in a hotel shall be supplied with white cotton or linen under sheets, top sheets, and pillow slips. The sheets shall be ninety-six (96) inches in length and of sufficient width to completely cover the mattress and springs. The pillow slips and sheets after being used by any guest shall be washed and ironed, and a clean set furnished each succeeding guest. The other bedding shall be thoroughly aired and kept clean at all times. All mattresses, quilts, blankets, pillows, sheets, comforts, and other bedding which have become worn or insanitary so as to be unfit for use shall be condemned by the inspector, and shall not be again used after such condemnation.

Sec. 28. Extermination of vermin. Every room or article in any hotel which has become infested with bedbugs or other vermin shall be renovated until the same are exterminated.

Sec. 29. Towels. Individual towels shall be provided for the use of each guest in a hotel, so that two (2) or more guests will not be required to use the same towel.

Sec. 30. Ventilation of sleeping apartments. Every hotel shall be properly ventilated and each sleeping apartment shall be provided with at least one (1) window or ventilating skylight equal in area to at least one-eighth ($1/8$) of the floor space of the room, and the same shall open onto the outside of the building or court. No room the floor of which is three (3) feet below the average level of the ground shall be used as a sleeping apartment. Where storm windows are used the same shall be constructed so that proper ventilation may be had by the guest and hung in such a manner that they may be readily opened to insure safe exit in case of fire.

Sec. 31. Ventilation of sleeping apartments in new hotels. Every hotel hereafter constructed and every building remodeled for the purpose of use as a hotel, in addition to the requirements of the preceding section, shall have sufficient ventilation in the door or doorway of each sleeping apartment, or some equivalent improvement.

Sec. 32. Free use of locked toilets. When a hotel is equipped with locked sanitary toilets accessible to guests, they shall be furnished with slugs for admittance to the same without expense.

Sec. 33. Outside water-closets. Outside water-closets for guests of a hotel shall be properly screened from flies and separated for the use of males and females and shall be cleaned and disinfected as often as necessary to maintain them in an approved condition.

Sec. 34. List of rooms and rates to be posted. A complete list of rooms by number, together with the number of the floor and the rate per diem per person for each room, shall be kept continuously and conspicuously posted on the wall near the office in the lobby of every hotel in such a way as to be accessible to the public without request to the management. The rate per diem per person for each room shall also be posted in the same manner in the respective rooms. No greater charge than the one thus posted shall be made.

Sec. 35. Increase of rates. The rate posted under the preceding section shall not be increased until sixty (60) days' notice of the proposed increase has been given to the department.

FIRE PROTECTION IN HOTELS

Sec. 36. New hotels to be constructed with halls. Every new hotel constructed of three (3) or more stories in height shall be provided with a hall on each floor above the ground floor, extending from one (1) outside wall to another, and such hall shall be equipped at the end with fire escapes, as provided by law. But in hotels of approved fireproof construction the provisions with reference to the hall extending from one (1) outside wall to another may be modified, with the approval of the labor commissioner, when such buildings are equipped with class A fire escapes.

Sec. 37. Construction of inside courts and light wells. Every hotel, except those which are of approved fireproof construction, in which the sleeping apartments have no outside opening except into an inside court or light well which does not extend to the ground, shall have such court or light well supplied with a suitable runway, platform, or balcony, connecting the bottom of the court or light well with some easy way of egress to the fire escapes. Doors or windows interposed between said runway, platform, or balcony and the fire escapes shall not be fastened against exit.

Sec. 38. Special construction required in certain cases. If the roof or covering at the bottom of the court or light well may be easily destroyed by fire, the runway, platform, or balcony shall be attached to the walls of the court or light well in the manner required by the department.

Sec. 39. Exits from ground courts. When a court or light well extends to the ground it shall be provided with some suitable means for exit to the outside in case of fire.

Sec. 40. Rope fire escapes. Every hotel of more than one (1) story, except hotels which are of approved fireproof construction, in addition to other fire escapes required by law, shall have in each sleeping apartment, a manila rope at least five-eighths ($5/8$) of an inch in diameter and of sufficient length to reach the ground with knots or loops not more than fifteen (15) inches apart, and the same shall have sufficient tensile strength to sustain a weight of at least five hundred (500) pounds. Said rope shall be securely fastened to the building as near an outside window as practicable and shall not be covered by curtains or other obstructions but shall be kept coiled in plain sight at all times. In lieu of such rope some other appliance approved by the department may be provided.

Sec. 41. Fire escape signs. In every hotel there shall be posted at the entrance to each hall, elevator shaft, or stairway, or in each sleeping apartment above the ground floor signs printed in black ink on white background with type not less than one (1) inch in height stating the directions for reaching the fire escapes. There shall also be posted in each sleeping apartment a notice printed in large bold-face type calling attention and giving directions for the use of the rope fire escape or other appliance with which the room is equipped.

Sec. 42. Fire extinguishers. Every hotel shall be provided with at least one (1) efficient fire extinguisher on each floor for every twenty-five hundred (2500) feet of floor space, placed and maintained in the hallway outside the sleeping apartments and kept in condition for immediate use. In lieu of such extinguisher a standpipe may be provided in the hall which shall not be less than one and one-fourth ($1\ 1/4$) inches in diameter with hose always attached of sufficient length and supplied with the proper pressure of water to reach any and all parts of the interior of the building.

Sec. 43. Elevator shafts. Every hotel, except those of approved fire-proof construction which is equipped with an elevator shaft extending below the level of the first floor shall have the shaft enclosed, as nearly air tight as practicable, with iron or steel sheeting, wire glass, or other fireproof material. In lieu of such construction, the elevator shaft may be provided with an automatic floor trap at the first floor, which shall be constructed in the most approved manner for preventing the spread of fire.

INSPECTION

Sec. 44. Annual inspection. The department shall cause to be inspected at least once each calendar year, every hotel, restaurant, and food establishment in the state, and any inspector of said department may enter any such places at any reasonable hour to make such inspection. The management shall afford free access to every part of the premises and render all aid and assistance necessary to enable the inspector to make a thorough and complete examination.

Sec. 45. Inspection upon complaint. Upon receipt of a verified complaint, signed by any patron of any hotel, restaurant, or food establishment, stating facts showing such place to be in an insanitary condition, or that the fire escapes and appliances are not kept in accordance with law, the department shall cause an examination to be made. If the complaint is found to be justifiable, the actual expenses necessarily incurred in making such inspection shall be charged and collected from the person conducting such place; but if such complaint is found to be without reasonable grounds, the actual expense necessarily incurred in making such inspection shall be collected from the person or persons making the complaint.

Sec. 46. Report of violation of fire protection laws. After each inspection the department shall report all infringements of the fire protection laws and regulations to the proper state and local authorities, who shall take the necessary action to compel compliance with the same.

ENFORCEMENT

Sec. 47. Penalty. Any person who shall violate any provision of this chapter shall be fined not exceeding one hundred dollars (\$100.00) or imprisoned in the county jail not exceeding thirty (30) days.

Sec. 48. Injunction. Any person conducting a hotel, restaurant, or food establishment, in violation of any provision of this chapter, may be restrained by injunction from operating such place of business. No injunction shall issue until after the defendant has had at least five (5) days' notice of the application therefor, and the time fixed for hearing thereon.

Sec. 49. Duty of county attorney. The county attorney in each county shall assist in the enforcement of the provisions of this chapter.

CHAPTER 10,

COLD STORAGE

Sec. 50. Definitions and rules of construction. For the purposes of this chapter:

1. "Food" shall include any article used by man for food, drink, confectionery, or condiment, or which enters into the composition of the same, whether simple, blended, mixed, or compound.

2. "Cold storage plant" shall mean a place artificially cooled to a temperature of forty degrees (40°) Fahrenheit or below, in which food is kept, but it shall not include a like place in a private home, hotel, or restaurant, or a refrigerator car.

3. "Cold stored" shall mean the keeping of articles of food in a cold storage plant or plants for a period exceeding thirty (30) days, and food which has been so kept shall be deemed to be cold storage food, but this paragraph shall not be construed as applying to meat or meat products in the process of manufacture.

Sec. 51. License required. Every person engaged in the business of operating a cold storage plant and who charges a fee for the service rendered shall obtain a license from the department for each establishment at which said business is conducted. Applications for such licenses shall be made upon blanks furnished by the department and shall conform to the prescribed rules of the department.

Sec. 52. Examination of plant. Before issuing a license to operate a cold storage plant the department shall make an examination of the proposed plant to ascertain if the proper sanitary conditions and equipment have been provided.

Sec. 53. License fee - expiration of license. The license fee shall be twenty-five dollars (\$25.00) per annum. and all licenses shall expire on December thirty-first following the date of issue.

Sec. 54. Receipt and withdrawal of food - records. Every licensee shall keep an accurate record of the receipt and the withdrawal of all food which is cold stored, and said record shall be open to inspection by the department at all reasonable times.

Sec. 55. Reports by licensee. Every licensee shall quarterly, or at such times as may be required by the department, report upon blanks furnished by the department in itemized particulars the quantity of food which is being cold stored in his plant. Quarterly reports shall be filed not later than the sixth day of January, April, July, and October of each year, and the reports so rendered shall show the conditions existing on the first day of the month in which the report is filed.

Sec. 56. Storing of impure food prohibited. No article of food shall be cold stored unless it is in a proper condition for storage and meets all the requirements of the pure food and food sanitation laws, and such rules as may be established by the department for the sanitary preparation of food products which are to be cold stored.

Sec. 57. Sanitary conditions - revocation of license. Every cold storage plant shall be maintained in a sanitary condition and conducted with strict regard to the influence of such condition upon the food handled therein. If any licensee under this chapter fails to comply with this section the department shall revoke his license.

Sec. 58. Marking food not intended for human consumption. Every article of food not intended for human consumption, before being placed in a cold storage plant shall be so marked by the owner in accordance with the rules established by the department.

Sec. 59. Date of deposit and withdrawal to be marked. Each article of food when deposited in a cold storage plant shall have marked upon the package, container, or article the date of deposit, and when removed said article shall be marked in like manner with the date of removal. Said markings shall be in accordance with the rules established by the department.

Sec. 60. Period for storage. No person shall keep in a cold storage plant any article of food for a longer period than twelve (12) calendar months, except with the consent of the department.

Sec. 61. Application for extension of period - order. Upon application the department shall grant permission to extend the period of storage beyond twelve (12) months for a particular consignment of goods, if the goods in question are found upon examination to be in proper condition for further storage at the end of twelve (12) months. The length of time for which further storage is allowed shall be specified in the order granting such permission.

Sec. 62. Report of extensions of storage period. A report on each case in which such extension of storage is permitted, including the reason for such action, the kind and the amount of goods for which the storage period was extended, and the length of time for which the continuance was granted, shall be included in the annual report of the department.

Sec. 63. Notice of sale of cold storage goods. No person shall represent or advertise as fresh goods articles of food which have ^{once} been cold stored, and every person who sells or offers or exposes for sale, uncooked articles of cold storage food shall display at all times in a conspicuous place a placard with only the words "Cold Storage Goods Sold Here" printed in black Roman letters not less than three (3) inches high and two (2) inches wide upon a white card, fifteen (15) by twenty-five (25) inches in dimensions.

Sec. 64. Return of goods to cold storage prohibited. No articles of food which has been cold stored and placed on the market for sale to consumers, shall again be placed in a cold storage plant but transfers of goods from one cold storage plant to another may be made if not for the purpose of evading the provisions of this chapter. The operator of a cold storage plant shall label all goods with the date when stored, which date shall not be removed when goods are removed, and in determining whether goods are "cold stored" the time same have been stored in different plants shall be added together and the aggregate shall be the time stored and shall be so marked when sold.

Sec. 65. Penalties. Any person violating any of the provisions of this chapter shall be punished for the first offense by a fine of not less than twenty-five dollars (\$25.00) nor more than one hundred dollars (\$100.00), and for the second offense by a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00), or by imprisonment for not more than six (6) months, or by both such fine and imprisonment.

Approved April 16, 1924.

CHAPTER 48

ESTRAYS AND TRESPASSING ANIMALS

H. F. 71

AN ACT to amend, revise, and codify chapter twenty-two (22) of title eight (8) and sections thirty-one hundred forty-two (3142) and thirty-one hundred forty-three (3143) of the compiled code of Iowa, and sections thirty-one hundred thirty-nine-a one (3139-a1) to thirty-one hundred thirty-nine-a three (3139-a3), inclusive, thirty-one hundred thirty-nine-a three-a (3139-a3a), thirty-one hundred thirty-nine-a four (3139-a4) to thirty-one hundred thirty-nine-a four-teen (3139-a14), inclusive, and thirty-one hundred forty (3140) of the supplement to said code, relating to neglected, disabled, and abandoned animals, animals running at large, estrays, dogs and the responsibility therefor, the licensing of dogs, the rights and duties resulting from such licensing or failure to license, and the payment of claims for damages done by dogs and wolves.